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**OFFICE OF PETITIONS**

In re Application of

Michael Brooks

Application No. 10/075,422

Filed: February 13, 2002

Attorney Docket No. 37829.0300/01-  
0609

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DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed February 7, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-cited application became abandoned for failure to reply file an appeal brief within two months after the filing of a Notice of Appeal. The Notice of Appeal was filed on April 9, 2004. No further filings were received relative to the Notice of Appeal. The application became abandoned on June 10, 2004. A Notice of Abandonment was mailed on December 6, 2004.

The instant petition was accompanied by a "Response and Amendment" and a "Transmittal" in which petitioner declares that these filings should be treated as a Request for Continued Examination pursuant to 37 CFR 1.114. It is noted that no "Request for Continued Examination Transmittal" was found with the petition papers, however; because the fee and submission required by 37 CFR 1.114 did accompany the petition, the documents received will be recognized as a Request for Continued Examination pursuant to 37 CFR 1.114.

Deposit account 19-2814 will be charged \$795.00 for the fee for the Request for Continued Examination.

The application is being forwarded to Technology Center 2800, GAU 2812 for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3222.

*Kenya A. McLaughlin*  
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Office of Petitions